

Introduced by: Council Present

AN ORDINANCE FOR THE CITY OF BERKELEY, AMENDING THE EMPLOYEE HANDBOOK OF PERSONNEL RULES AND REGULATIONS, POLICIES, AND BENEFITS IN SECTION 9.07; RELATING TO MILITARY LEAVE

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1. (Current Section) Military leaves will be subject to the following conditions:

- a) Long-term enlistment's and calls. Permanent full time employees entering the active military service of the United States by draft, by enlistment, or by call to active duty through the reserve or National Guard units shall be granted a leave of absence without pay to extend for ninety (90) days beyond the date of termination of active military service. ~~At or prior to the expiration of the military leave of absence, the employee must inform the City Manager of his/her willingness and ability to return to City employment and produce evidence of his/her honorable discharge from military service.~~ The employee shall thereupon be returned to his/her former position, providing he/she is capable of carrying out the duties of the position. Employees granted military leave of absence may count such service as time spent on the job for computing length of City service. Reemployment rights are granted for a period not to exceed five (5) years unless the individual's military obligation is extended by law. Employees, called to active duty through the reserve or national guard units, spouse and family will continue to be covered under the City's health insurance program provided the employee continues to pay his/her share of the cost of the premium.
- b) Short-term duty. Military leaves of absences of short duration not to exceed fourteen (14) calendar days ~~(80 hours)~~ will be granted at the written request of the employee along with a copy of his/her orders. Such leaves shall not exceed the days indicated regardless of the number of training periods in the year. ~~All leaves approved under (b) will be with full pay, less the amount received by the employee while serving on military duty.~~ Any military absence in excess of fourteen (14) days ~~(80 hours)~~ in a calendar year will be charged to ~~personal~~ leave without pay as approved by the ~~City Manager-Department Director and filed with the Assistant City Manager.~~
- c) Week-end duty. Leave Without Pay will be granted for Military leave for week-end duty as required by reserve units, if supplemented by a copy of the orders.

Section 2. (New Section) Military leaves will be subject to the following conditions:

- a) Long-term enlistment's and calls. Permanent full time employees entering the active military service of the United States by draft, by enlistment, or by call to active duty through the reserve or National Guard units shall be granted a leave of absence without pay to extend for ninety (90) days beyond the date of termination of active military service. The employee shall thereupon be returned to his/her former position, providing he/she is capable of carrying out the duties of the position. Employees granted military leave of absence may count such service as time spent on the job for computing length of City service. Reemployment rights are granted for a period not to exceed five (5) years unless the individual's military obligation is extended by law. Employees, called to active duty through the reserve or national guard units, spouse and family will continue to be covered under the City's health insurance program provided the employee continues to pay his/her share of the cost of the premium.

- b) Short-term duty. Military leaves of absences of short duration not to exceed fourteen (14) calendar days will be granted at the written request of the employee along with a copy of his/her orders. Such leaves shall not exceed the days indicated regardless of the number of training periods in the year. Any military absence in excess of fourteen (14) days in a calendar year will be charged to leave without pay as approved by the Department Director and filed with the Assistant City Manager.
- c) Week-end duty. Leave Without Pay will be granted for Military leave for week-end duty as required by reserve units, if supplemented by a copy of the orders.

Section 3. That all ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of this ordinance only, and only to the extent of the conflict.

1st Reading this _____ day of _____ 2018

2nd Reading this _____ day of _____ 2018

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2018

Theodore Hoskins, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Greene	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___